

### Council Policy 600-24 Issues Outline

As Identified by Planning Department Staff/September 2003  
9/22/03 Draft – Reformat10/9/03; 1<sup>st</sup> Staff Comments 11/20/03

Issue Description	Council Policy Section	Admin. Guidelines Section	Staff Reason for Identifying Topic & RECOMMENDED CHANGE	CPC Discussion/Recommendation
PD1 - Definition of categories of elected seats	Art. III, Sect. 3	Section 1,2	Unclear definition of board seats in bylaws – leads to questions to staff about interpretation of written bylaws or to request for quick bylaws change. 1 - CHANGE ADMIN GUIDELINES SECTION 2 TO INDICATE THAT BYLAWS SHOULD CONTAIN SPECIFIC DESCRIPTION OF OR INFORMATION ABOUT CATEGORIES OF ELECTED SEATS	
PD2 - Role of home based businesses	Art. III, Sect. 3 (General membership; home base not specifically addressed)	Section 1,2	If a home based business fills a commercial seat, a cpg loses some of its diversity of representation since a home based business will represent resident interests. CPGs generally agree that an individual with a home-based business should occupy a residential seat, except a few that clearly state that it is, and several allow it without specific language. 1 – MODIFY ADMIN GUIDELINES [SUBCOMMITTEE SUGGESTED CP600-24 MODIFICATION??] TO REQUIRE THAT A BUSINESS SEAT MUST BE REPRESENTED BY A BUSINESS PERSON WITH A BUSINESS ADDRESS IN THE COMMUNITY <u>IN A COMMERCIAL OR INDUSTRIAL ZONE</u> . 2 - MODIFY ADMIN GUIDELINES TO DISCUSS HOME BASED BUSINESS IS A RESIDENTIAL SEAT, CITING CITY ATTORNEY’S MEMO, AND INDICATING THAT A CPG MAY ESTABLISH PARTICULAR SEAT/S FOR HOME BASED BUSINESS. 3 – SEE CPC8	
PD3 - Proper use of consecutive years beyond 8/9	Art. III, Sect. 4	Section 3	Need clarification when a member can stay on board beyond the 8/9 years. Should an 8/9 year member be allowed to run for another term if there are enough new candidates? Should an 8/9 year member win reelection over a new candidate if they get more votes than the new candidate? Provision added in 1989 and original intent was to assure that some cpgs who could barely keep minimum 12 members would not go below 12 and lose recognition – it helped them to retain some long-time members through this exemption.. It is now being used to	

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			<p>re-elect certain long-time members while excluding new members who want to serve.</p> <p>1 - MODIFY COUNCIL POLICY LANGUAGE TO INDICATE THAT OFFICER RESTRICTION APPLIES TO <u>SAME</u> POSITION NOT <u>ANY</u> POSITION.</p> <p>2 – MODIFY COUNCIL POLICY LANGUAGE TO INCLUDE INTENT OF 8/9 YEAR RESTRICTION – TO ENCOURAGE ELECTION OF NEW MEMBERS</p> <p>3 – MODIFY ADMIN GUIDELINES TO PROVIDE SPECIFIC GUIDANCE FOR WHEN THE 8/9 YEAR EXCEPTION CAN BE USED WHEN THERE ARE CANDIDATES GETTING VOTES WHO ARE BOTH NEW AND BEYOND THE 8/9 YEAR LIMIT [IE, ADD LANGUAGE INDICATING WHAT TO DO IF A NEW CANDIDATE GETS MORE VOTES THAN AN 8/9 YEAR EXCEPTION CANDIDATE, AND VISE VERSA];</p> <p>4 – MODIFY ADMIN GUIDELINES TO INDICATE THAT A CPG CAN CLEARLY IDENTIFY IN ITS ELECTION PROCEDURES A MINIMUM NUMBER OF VOTES THAT A NEW CANDIDATE NEEDS TO GET IN ORDER TO UNSEAT AN 8/9 YEAR EXCEPTION CANDIDATE.</p>	
PD4 - Maintaining diversity of representation	Art. III, Sect. 3	Section 1	<p>Lack of board seat definition leads to difficulty in filling certain categories established originally to ensure diversification of representation; some cpgs are quick to try to fill a vacant seat with anyone rather than seek a candidate in that category, or want to quickly amend bylaws to eliminate the seat. CP600-24 goes on to say that “community planning committee members shall to the extent possible be representative of the various geographic sections of the community and diversified community interests”. Does diversification mean that seats should be assigned to various categories? How does a cpg address/fulfill diversity if the bylaws are silent? As staff is reviewing bylaw amendments, specific allocations of seats are being requested.</p> <p>1 – MODIFY ADMIN GUIDELINES TO DISCUSS</p>	

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			TEMPORARILY FILLING SEAT WITH INDIVIDUAL OF DIFFERENT CATEGORY THAN SEAT REQUIRES AFTER DEMONSTRATION OF TRYING TO FILL THE SEAT WITH THE APPROPRIATE CANDIDATE; DISCUSS HOW MANY TIMES TO TRY TO FILL A DIFFICULT-TO-FILL SEAT; OTHER DISCUSSION ABOUT IMPORTANCE OF KEEPING DIVERSITY OF REPRESENTATION	
PD5 - Modifications to representation categories	Art. III, Sect. 3	Section 1,2	Over time in communities, particularly developing communities, there is a need to adjust #s of seats allocated to particular community interests. While bylaws set up for new communities try to anticipate schedules of seat conversions, more discussion is needed to assist groups in determining the appropriate permanent conversion ratio that will represent the community interests. Same is true for changing community interests in urbanized communities and how that should affect the makeup of the cpg. 1 – MODIFY ADMIN GUIDELINES TO PROVIDE GUIDANCE ON THIS ISSUE. 2 – SEE CPC10	
PD6 - General membership	Art. III, Sect. 3	Section 1,2	If General Membership approach is used, there is unclear definition of general membership in bylaws; unclear definition of procedures to verify eligibility for general membership 1 – MODIFY COUNCIL POLICY TO RECOGNIZE THAT SOME COMMUNITIES WILL ESTABLISH GENERAL MEMBERSHIPS WHILE OTHERS WILL ALLOW ANY ELIGIBLE COMMUNITY MEMBER TO VOTE OR PARTICIPATE. 2 – MODIFY ADMIN GUIDELINES TO DISCUSS VARIOUS TYPES OF GENERAL MEMBERSHIPS, ROLES THEY CAN PLAY, HOW THEIR RECOMMENDATIONS/VOTES SHOULD BE CONSIDERED, SHOULD DETERMINE THEIR ELIGIBILITY TO VOTE, ETC 3 – SEE CPC14	
PD7 - Appointed seats	Art. III, Sect. 3	Not	Any seat that is appointed to represent a community interest	

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		addressed	<p>should be clearly identified how it will be appointed and the rights the seat has, including the probable need for a specific Direct Economic Interest discussion. Certain types of appointed seats may need to be converted to elected seats when conditions for those seats are no longer met, primarily for urbanizing communities as residential interests grow proportionately to development interests.</p> <p>1 - SEE PD5 ABOVE</p> <p>2 – MODIFY ADMIN GUIDELINES, SECTION 2, TO DISCUSS PROCEDURES/CAUTIONS FOR APPOINTED SEATS AS DISCUSSED HERE</p>	
PD8 - Public input (allowing public comment item; allowing public input on scheduled items)	Art. VI, Sect. 3	Section 8	<p>Public comment is last or late on the agenda; not allowing public comment on agenda items.</p> <p>1 – SEE ADMIN GUIDELINES SECTION 8 FOR DIRECTION REGARDING PUBLIC COMMENT ON THE AGENDA – IS THIS ADEQUATE?</p> <p>2 – MODIFY ADMIN GUIDELINES SECTION 8 TO CLEARLY IDENTIFY THAT MEMBERS OF THE PUBLIC SHOULD BE ALLOWED TO TESTIFY ON BUSINESS ITEMS ON THE CPG AGENDA</p>	
PD9 - Establishing and maintaining a quorum	Art. VI, Sect. 2	Section 7	<p>Board members not attending meetings; not attending meetings to actively prevent quorum; board may lose a quorum for a particular item through recusals</p> <p>1 – SEE ADMIN GUIDELINES SECTION 7; SEE PD14 BELOW</p> <p>2 – MODIFY ADMIN GUIDELINES TO INCORPORATE BASIC ROBERTS RULES OF ORDER REFERENCE TO BE USED IN CONVENING MEETINGS AND DETERMINING QUORUM FOR CPG BUSINESS.</p> <p>3 – MODIFY ADMIN GUIDELINES TO ADD MANIPULATION OF QUORUM TO UNDERMINE CPG BUSINESS IS REASON FOR GRIEVANCE CONSIDERATION</p> <p>4 – MODIFY ADMIN GUIDELINES TO DISCUSS WHAT TO DO IF RECUSALS DROP THE # PRESENT TO</p>	

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PD10 - Conducting an accessible meeting	Art. VIII, Sect. 1 (2,3,6,7)	Section 1,2,7,8,9,15	<p>BELOW QUORUM</p> <p>Several aspects here: is meeting place physically accessible? are certain meeting locations prohibitive to attendance by interested parties? Are meeting times and locations being changed without enough notice to allow participation of interested parties?</p> <p>1 – MODIFY ADMIN GUIDELINES TO ADVISE THAT PHYSICAL ACCESSIBILITY IS REQUIRED.</p> <p>2 – MODIFY ADMIN GUIDELINES TO ADDRESS MEETING LOCATION ACCESSIBILITY – MODIFY DIRECTION TO AVOID MEETINGS AT INDIVIDUALS' HOMES GIVEN DIFFICULTY OF FINDING OPEN MEETING LOCATION??</p>	
PD11 - Taking a vote on a project/issue (timing of vote; proper invitees)	Art. VI, Sect. 3 (proper invitees)	Section 9 (notification to applicants, affected people)	<p>Lack of proper notification to applicants; unclear board policy on timing of votes on projects</p> <p>1 – SEE ADMIN GUIDELINES SECTION 9 &amp; SECTION 8 ON VOTING ON REVISED PROJECTS – IS THIS ADEQUATE?</p>	
PD12 - Who votes (chair voting; revised projects; recusals)	Art. VI, Sect. 7 (financial interest recusals)	Section 8 Section 12	<p>Consistent handling by a cpg of the voting role of its chair; lack of understanding of recusal procedure</p> <p>1 – SEE ADMIN GUIDELINES SECTION 8 RE: OPTIONS FOR ROLE OF CHAIR – IS THIS ADEQUATE?</p> <p>2 – SEE ADMIN GUIDELINES RE: REVISED PROJECTS – IS THIS ADEQUATE? SHOULD THIS BE EXTENDED TO DISCUSS RE-VOTING ON OTHER MATTERS WHERE THERE HAS BEEN NO CHANGE?</p> <p>3 – MODIFY ADMIN GUIDELINES TO ENHANCE DIRECT ECONOMIC INTEREST DISCUSSION/EXAMPLES.</p> <p>4 – MODIFY ADMIN GUIDELINES TO GIVE MORE EXAMPLES OF ABSTENTIONS</p> <p>5 – MODIFY ADMIN GUIDELINES TO GIVE MORE DETAIL ON RECUSAL PROCEDURES/BEHAVIORS</p>	
PD13 - Sitting with the	Not addressed	Not	Board members sit with audience therefore it is not clear who	

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presence/authority of an elected board		addressed	is on the board and who votes 1 – MODIFY ADMIN GUIDELINES TO SUGGEST OPENING STATEMENT BY CHAIR REGARDING ROLE OF THE CPG 2 – MODIFY ADMIN GUIDELINES TO TALK ABOUT BOARD SITTING TOGETHER AT FRONT OF ROOM SO THEY CAN BE CLEARLY IDENTIFIED AS THE VOTING BOARD MEMBERS BY THE AUDIENCE	
PD14 - Definition of excused vs. unexcused absence	Art. IV, Sect. 1 Art. VIII, Sect. 1 (5)	Section 7	Unclear definition of excused and unexcused absence in bylaws; unclear as to what happens when a board member has too many unexcused absences (not always addressed in bylaws); need <u>definition</u> of unexcused absence 1- MODIFY ADMIN GUIDELINES TO INCREASE DISCUSSION OF EXCUSED AND UNEXCUSED ABSENCES AND DIRECT THAT BYLAWS DEFINE EXCUSED ABSENCE PER CP600-24 DIRECTION 2 – MODIFY ADMIN GUIDELINES TO INDICATE THAT BYLAWS MAY SAY THAT A CERTAIN NUMBER OF UNEXCUSED ABSENCES IS A GRIEVANCE ISSUE [SEE CPC16]	
PD15 - Meeting notice	Art. VIII, Sect. 1 (2)	Section 9	Meeting notices not received in a timely manner (received less than seven days prior to meeting date; day of meeting; or not at all). Some groups only email out the agenda the day of the meeting to board members. CP600-24 allows cpgs to set own procedures for noticing. 1 – SEE ADMIN GUIDELINES SECTION 9 – IS THIS ADEQUATE?	
PD16 - Subcommittee noticing	Art. VI, Sect. 2	Section 9,15	None or late subcommittee noticing; improper subcommittee meetings in homes or other non-public locations due to difficulty securing the library. 1 – MODIFY ADMIN GUIDELINES TO ADDRESS POSSIBLE MEETINGS IN PRIVATE RESIDENCES	

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PD17 - Rehearing items without significant revisions	Art. II, Sect. 1	Section 8	Items are discussed and voted upon more than once when there is not a significant revision to the project. 1 – SEE ADMIN GUIDELINES SECTION 8 – VOTING ON REVISED PROJECTS – IS THIS ADEQUATE?	
PD18 - Notification to project applicants	Art. VI, Sect. 3	Section 9	No notification to applicants that the project will be discussed and/or voted upon at meetings. 1 – SEE ADMIN GUIDELINES SECTION 9 – IS THIS ADEQUATE?	
PD19 - Scheduling and voting on non-land use issues	Art. II, Sect. 1,3	Not addressed	Boards voting on non-land use issues. Issues are outside the scope of responsibilities identified in CP600-24, and may be within the scope of other established community advisory groups. 1 – MODIFY ADMIN GUIDELINES TO INDICATE THAT CP600-24 GUIDES TOPICS OF DISCUSSION FOR THE CPG; THAT DISCUSSION OF ITEMS BEYOND THE SCOPE OF THE CP600-24, PLACED ON THE CPG AGENDA AT THE DISCRETION OF THE CPG, MAY CAUSE THE GROUP TO NOT BE INDEMNIFIED FOR THAT DISCUSSION	
PD20 - Submitting agendas and minutes in a timely manner to the Planning Department	Art. VI, Sect. 2 (minutes) Art. VIII, Sect. 2	Not addressed	Receiving agendas and minutes late; minutes not received by the PD – public comes to Planning for this information. 1 – SEE CP600-24 – IS THIS ADEQUATE REGARDING SUBMITTAL OF MINUTES AND AGENDA? 2 – MODIFY ADMIN GUIDELINES TO DISCUSS SUBMITTAL OF AGENDA AND MINUTES TO PLANNING DEPT FOR PERMANENT RECORD – PERHAPS SECTION 5 CURRENTLY ADDRESSING ONLY ROSTERS 3 – MODIFY CP600-24 TO REMOVE CITY CLERK AS OFFICIAL RECIPIENT OF CPG ROSTERS & ANNUAL REPORTS	
PD21 - Dealing with bylaw infractions	Not addressed	Not addressed	Bylaws infraction not being addressed within the group. 1 – SEE CPC16 - GRIEVANCES	

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PD22 - Bylaw enforcement	Not addressed	Not addressed	Bylaws are not enforced by board. cpg not following bylaws; cpg knowingly deviates from bylaws 1- SEE CPC16 – GRIEVANCES 2 - MODIFY ADMIN GUIDELINES TO DISCUSS RESPONSIBILITY OF CPG MEMBERS TO RAISE POINT OF ORDER TO BOARD REQUESTING ADHERENCE TO BYLAWS	
PD23 - Dealing with misrepresentation of or unauthorized representation of group's position	Art. I, Sect. 4 Art. II, Sect. 4	Not addressed	Members misrepresent board's position on projects; members represent positions that were not voted upon by the board; members appealing projects without board approval; use of cpg affiliation on non-cpg issues. 1 – SEE CP600-24 ARTICLE 1, SECTION 4 – IS THIS ADEQUATE IN CP? 2 – MODIFY CP600-24 ARTICLE II, SECTION 4 TO ADD CIRCUMSTANCES UNDER WHICH A CPG MEMBER OR CPG CHAIR SHALL NOT IDENTIFY THEMSELVES AS SUCH WHEN EXPRESSING POSITIONS ON MATTERS EITHER NOT VOTED UP ON OR OUTSIDE THE SCOPE OF RESPONSIBILITIES OF THE CPG. 3 – MODIFY ADMIN GUIDELINES TO SUGGEST THAT CPGS SET UP PARAMETERS THEY WANT MEMBERS OF THE CPG TO FOLLOW IN REPRESENTING THEIR OFFICIAL POSITIONS TO THE CITY OR OTHERWISE PUBLICLY; ALSO TO INDICATE UNDER WHAT CIRCUMSTANCES CHAIR MAY ACT ON BEHALF OF CPG WITHOUT SPECIFIC PRIOR APPROVAL [E.G., APPEAL OF A PROJECT THE CPG HAS RECOMMENDED AGAINST]	
PD24 - Removal of board members for cause	Not addressed	Not addressed	Lack of procedures to remove board members in bylaws; need to define ethical or required behavior in bylaws. 1 – SEE CPC16 - GRIEVANCES	
PD25 - Roles of Planning Dept. and City Attorney	Policy (approval of bylaws) Throughout document there are	Section 1 (bylaws subject to approval by	Planning Department and City attorney is asked to interpret bylaws; City attorney is asked to attend meetings and provide counsel to board; perceived interference of PD in group issues 1 – MODIFY CP600-24, ARTICLE II, TO ADD	



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	references on PD roles	both planning and city attorney), 13	DISCUSSION ABOUT NATURE OF CPGS, ROLE OF PLANNING DEPT & CITY ATTORNEY	
PD26 - Responsible recordkeeping	Art. VI, Sect. 2 Art. VII, Section 4	Section 5,7	Unclear understanding of duties of secretary to maintain agendas, minutes, annual report, general membership list, and other documents deemed appropriate by board; minutes not received by the PD 1 – SEE CP600-24 & ADMIN GUIDELINES – IS THIS ADEQUATE? SHOULD THERE BE DIRECTION TO INCLUDE SPECIFIC DUTIES IN BYLAWS	
PD27 - Bylaws amendment process (cpg vote; city approval)	Policy	Section 16	Late involvement of City staff in process 1 – SEE CPC7	
PD28 - Indemnification responsibilities	Art. VI, Sect. 6; Ordinance O-17086	Section 11; Ordinance O-17086	Unclear understanding of scope of indemnification 1 – MODIFY CP600-24 TO ADD DISCUSSION OF INDEMNIFICATION ORDINANCE 2 – MODIFY ADMIN GUIDELINES TO ADD DISCUSSION OF INDEMNIFICATION ORDINANCE 3 – SEE CPC17	
PD29 - Dispute resolution	Not addressed	Not addressed	Bylaws, council policy, administrative guidelines, and Robert's Rules of Order are not enforced by board; personalities govern resolution of disputes; differing interpretations of procedures, Robert's Rules, etc. 1 – SEE CPC16 – GRIEVANCES	
PD30 - Hierarchy of authority	Art. VI, Sect. 2 – last sentence	Not addressed	Relationship among bylaws, council policy, and administrative guidelines are not clear; reliance on these documents by board regarding operational issues is questioned 1 – MODIFY CP600-24 TO ADD DISCUSSION ABOUT EXISTENCE OF ADMIN GUIDELINES AND RELATIONSHIP AMONG THE CP600-24, ADMIN GUIDELINES, AND CPGS' BYLAWS 2 – MODIFY ADMIN GUIDELINES TO DISCUSS MORE FULLY OW TO USE DOCUMENTS TOGETHER	

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PD31 - Use of electronic communication for purposes contrary to council policy	Not addressed specifically, although CP600-24's overall intent is public knowledge, public meetings, and public discussion	Section 7 implies public discussion for all CPG matters	<p>Discussion of projects by board or selected board members without participation by applicants and the public in a public forum; discussing substantive CPG matters outside public purview; slander/threats; using group distribution for political discussions)</p> <p>1 – MODIFY ADMIN GUIDELINES TO ACKNOWLEDGE USE OF ELECTRONIC COMMUNICATION FOR INFORMATION SHARING, NOT FOR CONDUCTING CPG OFFICIAL BUSINESS EXCEPT ON AN EMERGENCY/INTERIM BASIS [TO BE CONFIRMED AT PUBLIC CPG MEETING]</p> <p>2 – MODIFY ADMIN GUIDELINES TO ADVISE CPG MEMBERS TO NOT SEND EMAIL <u>AS A CPG MEMBER</u> OTHER THAN FOR INFORMATION SHARING, INCLUDING BUT NOT LIMITED TO, OFFICIAL ACTS OF THE CPG OR AUTHORIZED ACTIONS</p>	
PD32 - Public perception of fairness of group's operations in general	Not addressed	Not addressed	<p>Bylaws, council policy, and administrative guidelines are not enforced by board; unclear bylaws; boards often perceived as not looking out for community-wide interests; election disputes eroded public confidence in group and polarized members of the public who regularly attend meetings</p> <p>1 – SEE PD22</p> <p>2 – MODIFY ADMIN GUIDELINES TO INCLUDE ROBERTS RULES OF ORDER PROVISIONS ON RUNNING MEETINGS</p>	
PD33 - Treatment of other group members; of the public	Not addressed	Not addressed	<p>Use of foul language at meetings, rude comments to the public; not allowing board members to speak by other board members; excessive use of a gavel; threats to physically harm meeting attendees; shouting and threats; "email wars" ; rude behavior by chair towards board members</p> <p>1 – SEE PD32</p>	
PD34 - Lack of recusal is a fairness problem for the group's reputation and a bylaw infraction	Art. VI, Sect. 7 (direct economic interest –	Section 8	Unclear understanding of responsibility to recuse; members will recuse and then vote to abstain or members will recuse but still participate in discussion.	

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for the chair to manage	enforcement not addressed)		1 – SEE PD12.	
PD35 – Age discrimination	Art. II, Sect. 4 discusses other types of discrimination	Not addressed	It has been noted to staff that the list of discrimination issues does not include age discrimination 1 – MODIFY CP600-24 TO ADD AGE DISCRIMINATION	
PD36 – Election advertisements [replacement 11/17/03]	Art. V, Sect. 2	Not addressed	The 2 advertisements per year have proven to be an ineffective expense in promoting CPG elections. Other methods are more appropriate. 1 – MODIFY CP600-24 ARTICLE V, SECTION 2, TO TALK MORE GENERALLY ABOUT ADVERTISING EFFORTS 2 – MODIFY ADMIN REGS TO ADD DISCUSSION ABOUT CITY'S EFFORTS AND CPGS EFFORTS TO ADVERTISE ELECTIONS	

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